

1 SENATE BILL NO. 356

2 INTRODUCED BY ESSMANN

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE PUBLIC SERVICE COMMISSION'S 90-DAY
5 PERIOD FOR WITHHOLDING RECORDS AND REPORTS FROM THE PUBLIC; EXPANDING THE SCOPE
6 OF PROTECTIVE ORDERS TO INCLUDE INFORMATION THAT ~~CAN~~ MUST BE PROTECTED UNDER LAW;
7 AND AMENDING SECTION 69-3-105, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 69-3-105, MCA, is amended to read:

12 **"69-3-105. Access to commission records and reports -- protective order.** (1) Except as provided
13 in subsection (2), the reports, records, accounts, files, papers, and memoranda of every nature in the possession
14 of the commission are open to the public ~~at reasonable times~~ DURING REGULAR BUSINESS HOURS, AS DEFINED IN
15 2-16-117, ~~subject to the exception that when the commission considers it necessary, in the interest of the public,~~
16 ~~it may withhold from the public any facts or information in its possession for a period of not more than 90 days~~
17 ~~after the acquisition of the facts or information.~~

18 (2) The commission may issue a protective order when necessary to preserve trade secrets, as defined
19 in 30-14-402, or other information that ~~can~~ MUST be protected under law, as required to carry out its regulatory
20 functions."

21 - END -